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Report of the Independent International Commission of Inquiry on the Syrian Arab Republic

Summary

With no end in sight, the Syrian conflict has continued to intensify. Civilians, Syrians of all backgrounds, have been the subject of crimes against humanity and war crimes, as well as other serious violations of international humanitarian law and gross violations of their human rights. These transgressions are massive in extent and scope.

Within the overall civilian population, groups and communities have been specifically targeted by one or more of the warring parties. Furthermore, there are groups and communities on which the war has left a distinct mark. Often individuals suffer on the basis of multiple aspects of their identity, including their gender, age, ethnicity, religion and profession.

Civilians are suffering the unimaginable, as the world stands witness. Without stronger efforts to bring parties to the peace table, ready to compromise, current trends suggest that the Syrian conflict – and the killing and destruction it wreaks – will continue for the foreseeable future.

From the interviews gathered by the Independent International Commission of Inquiry on the Syrian Arab Republic, a resonant cry for peace and accountability rings out. It is the responsibility of the warring parties and influential States to seek peace, and the particular obligation of the Security Council, in the context of the war in the Syrian Arab Republic, to open a path to justice.

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I. Introduction

1. In the present report, submitted pursuant to Human Rights Council resolution 22/24, the Independent International Commission of Inquiry on the Syrian Arab Republic presents its findings based on investigations conducted from 10 January to 10 July 2015.[1] This report should be read in conjunction with previous reports of the Commission.[2]

A. Challenges

2. The Commission's investigations remain curtailed by the denial of access to the Syrian Arab Republic.

B. Methodology

3. The methodology employed by the Commission was based on standard practices of commissions of inquiry and human rights investigations. The commission relied primarily on first-hand accounts.

4. The information contained herein is based on 335 interviews conducted in the region and from Geneva. Since September 2011, 3,840 interviews have been conducted by the Commission.

5. Photographs, video recordings, satellite imagery and medical records were collected and analysed. Reports from Governments and non-governmental sources, academic analyses and United Nations reports formed part of the investigation.

6. The standard of proof is met when the Commission has reasonable grounds to believe that incidents occurred as described.

II. Conflict dynamics

7. With no end in sight, the Syrian conflict has continued to intensify across an increasing number of complex and often unpredictable frontlines. Benefitting from support provided by a variety of external backers, including States and individuals, warring parties have battled vehemently to expand geographically. This has repeatedly brought chaos and destruction to new localities hosting local communities and internally displaced persons (IDPs). Simultaneously, sporadic but persistent fighting and bombardment also occurred in multiple low-scale and static battlefields, where involved actors lack the necessary manpower and supplies to break the stalemate.

8. None of the belligerents seem either close to collapse or positioned to secure an outright military triumph. After more than four years of fighting, all have secured sufficient support channels, territorial gains and operational capabilities to sustain them for several more years. Without stronger efforts to bring parties to the peace table, ready to compromise, current trends suggest that the Syrian conflict – and the killing and destruction it wreaks – will continue for the foreseeable future.

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[1] The commissioners are Paulo Sérgio Pinheiro (Chair), Karen Koning AbuZayd, Vitit Muntarbhorn and Carla Del Ponte.

[2] A/HRC/S-17/2/Add.1, A/HRC/19/69, A/HRC/21/50, A/HRC/22/59, A/HRC/23/58, A/HRC/24/46, A/HRC/25/65 and A/HRC/27/60.

9. While fought mostly by Syrians and largely contained within Syrian territory, the war is increasingly driven by international and regional powers, primarily in accordance with their respective geostrategic interests. Syrian stakeholders, on all sides of the conflict, have gradually lost control over the course of events due to a variety of external factors that have obscured the internal dimension of the war. As the war endures, it displays worrying signs of becoming internationalized. The competition among regional powers for influence has resulted, among other consequences, in an alarming exacerbation of the sectarian dimension, instigated by the intervention of foreign fighters and extremist clerics.

10. Government forces[3] have struggled against mounting military pressure by anti-Government armed groups, as well as Jabhat Al-Nusra and Islamic State of Iraq and al-Sham (ISIS), successively losing strategic localities and military positions in several governorates. Unable to advance during most of their recent attacks in Aleppo and southern Dara'a, Government forces have also failed to prevent the collapse of their external defensive lines during offensives by ISIS and other armed groups in strategic areas such as eastern Homs and Idlib.

11. As recognized by President Bashar al-Assad in his July televised address, shortages in loyal manpower, combined with the proliferation of highly active fronts, have constrained Government forces' ability to react simultaneously throughout the country. As a result, the Government has prioritized highly strategic areas such as Damascus, coastal governorates, and communication lines along the Lebanese borders, the only international borders they still control. Besides continuing aerial bombardments, Government forces relied heavily and regularly on Hezbollah and other foreign Shia militia. In particular, elite units including the Republican Guard and the 4th Division have been significantly affected by casualties and war attrition.

12. Anti-Government armed groups, ranging from Free Syrian Army (FSA) affiliates to groups such as Ahrar Al-Sham, made important tactical gains along frontlines with Government forces in Idlib, Dara'a and Aleppo governorates. While intermittently fighting ISIS and its allies in northern Aleppo countryside and southern Damascus, they have increasingly collaborated with Jabhat Al-Nusra and groups such as Ansar Al-Deen and Jund Al-Aqsa, apparently prioritizing present operational necessities over ideological and political divergences.[4]

13. Significant improvements in coordination and access to logistical support have contributed to enhanced overall operational performance, leading to fresh advances. Divisions over ideology and politics, as well as infighting over resources and territory, persist and may continue to undermine unity and coherence within their ranks in the future.

14. Jabhat Al-Nusra, the Syrian affiliate of Al-Qaida, has played a key role during armed groups' recent gains in Idlib, where it regularly operates in close proximity with groups from different ideological backgrounds. Composed mainly of Syrian militants – in contrast to ISIS – it has reinforced its hold on large parts of Idlib governorate, devolving resources and efforts on local governance. With a particular focus on putting security and

[3] The term "Government forces", unless specified otherwise, includes the Syrian Armed Forces, intelligence forces and associated foreign and local militias, including Hezbollah, the *shabbiha*, popular committees and National Defence Forces.

[4] While in some Syrian governorates, Jabhat Al-Nusra has undertaken major operations in concert with anti-Government armed groups, these coalitions generally arise out of operational necessity rather than genuine ideological engagement. In all references to Jabhat Al-Nusra in this report, the Commission continues to regard the group as a terrorist entity as designated by Security Council resolution 2170 (2014).

justice mechanisms in place, the group has consolidated its influence over communities, imposing its extremist ideology.

15. Relations between Jabhat Al-Nusra and ISIS have been characterized mainly by distrust and conflict. They have clashed predominantly over control of resources, despite rare instances of collaboration in isolated fronts such as Al-Yarmouk camp in Damascus city, and the western Qalamoun area in Rif Damascus.

16. ISIS has consolidated its influence over large parts of northern and eastern governorates while dramatically escalating its attacks targeting Government forces' positions and towns in Homs and Hasakah governorates. The terrorist group has also expanded into new areas in the centre and the south as far as Dara'a and Suweida governorates by absorbing new loyalties among local militant groups operating far beyond its strongholds.

17. Following significant losses in Raqqah at the hands of the Kurdish armed group, the People's Protection Units (YPG), ISIS adopted a new modus operandi incorporating extensive use of suicide vehicle-borne improvised explosive devices and hit-and-run tactics. The international coalition against ISIS has recently expanded, strengthening its capacity to fight ISIS. Its airstrikes, however, have degraded the group's operational performance only when conducted alongside YPG ground operations.

18. The YPG – supported by local armed groups and the international coalition airstrikes – have advanced in north-eastern Syrian governorates. After clearing the canton of Ayn Al-Arab/Kobane[5] (Aleppo), they seized the border crossing of Tal Abyad (Raqqah) in a significant victory against ISIS, connecting Kobane and Al-Jazire into a contiguous zone.

19. Providing most of the fighting forces, the YPG has fought on different fronts alongside a variety of armed groups including Arab tribes, Assyrian militia, and FSA-affiliated factions. Geographically, YPG forces have advanced recently into Arab-dominated areas beyond Kurdish territories, stirring resentment among some local communities.

20. In an effort to bring warring parties to the negotiating table, United Nations Special Envoy Staffan de Mistura submitted a new proposal to the Security Council on 29 July, aimed at reaching a Syrian-owned framework document on the implementation of the 2012 Geneva Communiqué. After extensive consultation with belligerents and influential States, the Special Envoy proposed the formation of four subject-specific working groups which would address the following themes: "safety and protection for all"; "political and constitutional issues"; "military and security issues"; and "public institutions, reconstruction and development".

21. The uninterrupted flow of refugees into neighbouring countries continues to destabilize the region and severely affect the livelihoods, public services and availability of basic commodities in the hosting communities. These economic and social challenges, compounded by security concerns, have prompted neighbouring countries to adopt border management measures which, in the words of High Commissioner for Refugees Antonio Guterres, "limit refugees' chances of reaching safety".

22. The protection space for Syrians trying to escape the conflict is steadily shrinking. Serious funding shortfalls endanger the lives of the most vulnerable segments of Syria's displaced population.

[5] Hereinafter referred to as "Kobane".

III. Impact of the Syrian conflict on various civilian groups and communities

23. Civilians continue to be the main victims of the Syrian conflict. As violence has engulfed their lives, schools and neighbourhoods, civilians have fled to dwindling safe havens inside the Syrian Arab Republic, or over its borders.

24. Within the overall civilian population, some groups and communities have been specifically targeted by one or more of the warring parties. Furthermore, there are groups and communities on whom the war has a distinct impact. Often individuals suffer on the basis of multiple aspects of their identity, including their gender, age, ethnicity, religion and profession. An attack on a civilian population may particularly affect or be directed towards civilian women, or indeed, civilian women of a particular ethnicity, for example. Such is the reality of the war in the Syrian Arab Republic.

25. The present report examines the impact of the Syrian conflict on some of the most affected groups and communities. It does not, however, offer an exhaustive list – an impossibility given the richness of the Syrian mosaic.

A. Civilians

26. Warring parties conduct hostilities with little, if any, regard for the laws of war and, in particular, its foundational principle of distinction. Regardless of the belligerent involved, the majority of attacks are not directed at a specific military objective or fail to employ a method or means of combat that can be directed at a specific military objective. Indiscriminate attacks on residential areas have led to massive casualties among Syrian civilians.

27. Government forces (including paramilitary and foreign and local supporting militia), anti-Government armed groups, Jabhat Al-Nusra and ISIS all locate military objectives within or near densely populated civilian-inhabited areas, endangering the civilian population.

1. Ground attacks

28. As warring parties advanced, they undertook ground attacks on civilian-inhabited villages on frontlines. In the ground attacks detailed below, Government forces, anti-Government armed groups, Jabhat Al-Nusra and ISIS have killed civilian residents.

29. In mid-February, Government forces entered Hardetein village (Aleppo). Civilians were shot and killed as they fled.

30. Government forces entered Busr Al-Hareer, Miskiya Al-Sharqiya, Miskiya Al-Gharbiya and Musetba villages in the Dara'a countryside in April. While the area was under the control of the FSA, fighters were not present at the time of the Government's advance. Government forces killed approximately 40 men and injured 60 others.

31. In March, anti-Government armed groups, fighting alongside Jabhat Al-Nusra, attacked and overran Busra Al-Sham (Dara'a), killing male and female residents. Acting in concert with Jabhat Al-Nusra, armed groups attacked Ishtabraq (Idlib) in April, killing fleeing civilians. In mid-June, Jabhat Al-Nusra fighters executed 24 men in Qalb Lawza (Idlib).

32. ISIS executed civilians during its February offensive against Assyrian villages along the Khabour River (Hasakah), including Tel Hermes, Tel Shamran, and Qabr Shamie. At the end of March, it attacked Mabouja (Hama). From 25-27 June, the terrorist group also

launched an attack on Kobane, killing approximately 250 civilians. These attacks are detailed in Section H below.

2. Aerial bombardments and shelling

33. The Government has continued aerially bombarding civilian-inhabited localities. Areas of Aleppo, Dayr Az-Zawr, Idlib, Damascus and Dara'a have come under intense attack, leading to widespread civilian casualties.

34. Some attacks were directed towards civilian gathering places, specifically markets and transport hubs. In early February, bus gathering points in Baidin and Al-Hayderia neighbourhoods of Aleppo city were hit with barrel bombs, killing civilians. In May, the Government launched an airstrike on Jisr Al-Haj, where buses and taxis collect passengers in Aleppo city. Approximately 40 people were killed. The majority were civilians, including several children.

35. In May, Government helicopters dropped multiple-barrel bombs on three markets in ISIS-controlled Al-Bab, in northern Aleppo. ISIS was not present inside the markets, which sold vegetables, women's clothing and agricultural equipment, respectively. In early June, a Government helicopter dropped a barrel bomb on Jib Al-Quba food market, in Aleppo city. The attack resulted in civilian casualties. There were no military objectives in the market.

36. Anti-Government armed groups have shelled civilian-inhabited towns and neighbourhoods in Aleppo, Damascus, Idlib and Latakia. Government-controlled neighbourhoods in Aleppo city remain under regular bombardment from armed groups. In early May, an unidentified armed group fired a rocket into Al-Mougambo neighbourhood, killing nine civilians. Armed groups periodically cut water to Government-held Aleppo city.

37. Anti-Government armed groups continue to fire rockets and mortars into the Jaramana and Sayda Zeinab neighbourhoods of Damascus city, resulting in many civilian casualties. Prior to the ground attacks in Dara'a and Idlib, anti-Government armed groups and Jabhat Al-Nusra indiscriminately shelled villages as they advanced.

38. In April, the international coalition launched an airstrike on Beir Mihli (Aleppo), located along a frontline between the YPG and ISIS. It remains unclear what military objectives were present in the village, but the number of civilian casualties – reportedly over 60 people – is of serious concern. Similarly, in a coalition airstrike on Dali Hasan (Aleppo) in June, a family – including five children – was killed. The military objective is still to be clarified.

39. Investigations are continuing into the alleged use of chemical weapons, in the form of chlorine and/or phosgene gas, in Sermin, Saraqib, Qmenas and Binish, as well as other towns and villages in Idlib in March and April.

B. Fighting-age men

40. While few civilians have been left unscathed by the continuing brutality of the Syrian war, it is civilian men who make up the largest community of victims. Civilian men perceived to be of fighting age have been targeted by warring parties during ground

attacks.[5] They are also the primary civilian victims of enforced disappearance, torture and unlawful killing.

41. Consistent with previously documented patterns, men – particularly those with identification cards showing them to be from restive areas – are arbitrarily arrested by Government forces. This happened most frequently at checkpoints in Government-controlled areas of Damascus and Aleppo cities, as well as on the main routes linking Damascus and Dara'a governorates. Countless men remain detained due to activities relating to their exercise of freedom of expression or assembly. Others appear to have been detained to pressure family members wanted by the authorities, rendering their detention unlawful.

42. While enforced disappearances were first documented during the March 2011 protests, subsequent investigations uncovered a countrywide pattern in which mainly adult male civilians have been seized by Government forces and disappeared.

43. Most former detainees interviewed by the Commission are adult men. Their treatment is detailed in Section F, below.

44. The Government's ubiquitous checkpoints have vastly limited the freedom of movement of men seeking to leave opposition-held areas. Civilian men are effectively trapped in areas in which there may be heavy clashes or intense aerial bombardments. Even in calmer areas or periods, the specific threats posed to civilian men from Government checkpoints have prevented them from accessing work and therefore, from being able to provide for their families. Multiple accounts have been documented of women leaving their husbands behind in opposition-held areas to accompany their pre-adolescent sons through the checkpoints and out of the area before they reach an age where they are likely to be stopped by Government forces.

45. The Government's recent campaign of conscripting men into its armed forces has further inhibited the movement of adult men to and within Government-held areas.

46. The majority of those executed by ISIS are adult men. In many instances, ISIS declared the men to be captured fighters or civilian collaborators with Government forces or other armed groups as a justification for murdering them.

47. ISIS has also forcibly recruited men and boys. As the group's control over the Dayr Az-Zawr countryside has solidified, ISIS reportedly demanded that each family send at least one son to fight with the group.

48. In ISIS-controlled areas, specific rules apply to men. These are less restrictive than the rules applying to women and girls over the age of 10, but include a dress code, having a beard of a particular length, and attending Friday prayers at the mosque. Failure to abide by these rules frequently results in lashing. Men found in the company of women to whom they are not related risk a charge of adultery, punishable by death.

C. Women

49. Throughout the unrest and conflict in the Syrian Arab Republic, women and girls have been targeted on the basis of their gender.

[5] As documented in the Commission's previous reports, those treated as being of fighting age include boys under the age of 18 years. The treatment of male minors, including the violations committed against them, is covered in Sect. D (Children), below.

50. Women have also been targeted because of their familial links, actual or assumed, with male members of opposing warring parties. For the belligerents, the very act of detaining a woman, with all the risks to her person that this implies, appears designed to humiliate not only the woman, but also – and arguably, primarily – her male relatives.

51. Government forces have arrested female lawyers, journalists and peace activists and those expressing anti-Government sentiments. Women have also been detained in order to force the surrender of male relatives suspected of fighting with, or otherwise supporting, anti-Government armed groups.

52. Female detainees are imprisoned in squalid, insect-infested cells and subjected to torture and inhuman treatment, as detailed in Section F. Medical care, if available at all, is inadequate. In particular, no care is taken to address women's distinct medical and physiological needs.

53. Women have suffered rape and other forms of sexual violence by Government personnel while held in detention facilities. Sexual assault has also been committed by Government forces at checkpoints. That women can move more freely than men in Government-held areas has increased their vulnerability to physical and sexual assault, by Government forces and by criminal elements within the civilian population.

54. The Government's campaign of arrests and disappearance of fighting-age men has had acute economic and social effects on the women left behind. The mental anguish that women endure as a result of the disappearance of their male relatives is a human rights violation in itself. Beyond this, female relatives are often left with no means of supporting themselves or their children. Without confirmation of death, they are in legal limbo, unable to inherit or sell property, or to remarry.

55. Anti-Government armed groups have kidnapped women in order to effect prisoner exchanges for women and fighters detained by the Government.

56. Approximately 100 women and children were taken hostage by a coalition of armed groups, including Jabhat Al-Nusra and Ahrar Al-Sham, during an attack on Alawite villages in Latakia countryside in August 2013. The hostages (at least half of whom were minors) received limited medical treatment and food. Three elderly women died of treatable ailments while detained. Approximately 40 have been released in prisoner exchanges so far.

57. In recent months, Jabhat Al-Nusra assumed control of some towns and villages in the Idlib countryside. Reports are emerging from Maarrat Misrin about the group's restrictions of personal freedoms, including a requirement that women cover their hair. Two women were reportedly executed in January 2015 in Maarrat Misrin and Hafsarjah, following a local Sharia court's finding that they had committed adultery.

58. Since ISIS emerged as a force in early 2013, cases of women being stoned to death have been documented. Often accused of having committed adultery, it appears that many were executed for assisting fighters of other groups or for continuing professional activities. In so doing, women came into contact with men to whom they were not related.

59. As detailed in Section H, ISIS continues to hold Yazidi women and girls captive in sexual slavery. The terrorist group has also forced Sunni women and girls into marriages with its fighters.

60. ISIS has removed women and girls from public life and placed them entirely under the control of male relatives. Women and girls over the age of 10 may not appear publicly without being entirely covered, and may not travel without a close male relative. It is impossible for women whose husbands have died, fled, or are at the battlefront, to leave their homes for any reason without risking punishment.

61. These rules are punishable by lashing, which is often administered by Al-Hisbah, ISIS' morality police. An all-female unit of Al-Hisbah, Al-Khansaa, is sometimes responsible for the lashing of women.

62. ISIS' rules against the mixing of the sexes have adversely impacted women and girls' ability to access health care. Many doctors fled ISIS-controlled areas in 2013, and there are very few female doctors present in the region. Consequently, specialist care for women and girls is extremely limited.

63. Sieges and the denial of humanitarian assistance have had a distinct impact on women. Lack of food and medical care has adversely affected the health of pregnant women and nursing mothers, as well as contributing to a rise in infant mortality.

64. While women continue to be the subject of violations – including being targeted based on their gender – to regard women solely as victims is to misunderstand the important and often overlooked female experience of the ongoing war.

65. Women make up more than half of Syrian refugees and IDPs. This is due to adult men being away fighting, or having been killed or disappeared. Where families remain intact, adult men from restive areas or from communities perceived to be in support of an opposing faction are often unwilling to move due to fears of arrest, detention or summary execution at checkpoints. Consequently, over the course of the conflict and outside of ISIS-controlled areas, the Syrian Arab Republic has seen a rise in female-headed households. Despite confronting great difficulties, women are often the primary caregivers and providers for their children.

66. Within the YPG, women make up an essential part of the Kurdish frontline fighting forces. In other areas of the Syrian Arab Republic, women risk their lives to aid their families and communities, for instance by smuggling food and medicine into areas besieged by the various parties to the conflict.

67. Women have become powerful voices in advocating for the political resolution of the conflict, though they remain absent from the conferences where high-level diplomatic discussions have taken place. It is essential that women participate fully in current and future political negotiations. The distinctly female experience of a war primarily waged by men must form part of the discussion of how to achieve peace and justice in the Syrian Arab Republic.

D. Children

68. Syrian children's lives have been blighted by the war's brutality. An untold number have suffered the same violations as adults, without discrimination. Parties to the conflict continue to recruit and use children in the conduct of hostilities.

69. ISIS has executed children in Hasakah, Raqqah and Dayr Az-Zawr. In May, ISIS executed a family, including minors as young as 14, in a village in Dayr Az-Zawr. Residents, including children, were made to watch. ISIS has also forced children into the role of executioner. The terrorist group has released videos showing a firing squad of children executing captured men in Palmyra, as well as of a 10-year-old cutting the throat of a captured soldier in Homs.

70. Thousands of children have been killed and injured in the Government's indiscriminate aerial bombardments on Aleppo, Damascus, Dara'a, Idlib and Dayr Az-Zawr. In May, a barrel bomb hit Al-Rajaa school in a residential neighbourhood of Aleppo city. There were no military positions in the area. At least five children, and several teachers, were killed.

71. Indiscriminate mortar and rocket fire by anti-Government armed groups has killed and maimed children in Aleppo and Damascus cities, as well as in Latakia and Idlib governorates. Some schools, such as Abdulrahman Al-Khazen school in Al-Fahamy (Damascus), moved classes into basements after Jaish Al-Islam launched mortar shells on the capital in February.

72. Boys considered to be of fighting age continue to be held at Government checkpoints. Once held, children are imprisoned with adults and tortured in Government detention centres. They suffer the same inhumane conditions of detention as described in Section F. The presence of male and female detainees as young as 11 was recorded in Security Branches 227, 235, 248 and 215 in Damascus. Children have been tortured and the rape of minors was reported in Branches 235 and 215.

73. As detailed in Section H, ISIS has sexually enslaved thousands of female Yazidis, a large proportion of whom are under the age of 18. Additionally, the group has forced Sunni Arab girls into marriages with its fighters.

74. ISIS kidnapped children, along with their mothers, during attacks on multiple Assyrian villages in February, and from Mabouja, in late March. Children and women were taken hostage by Jabhat Al-Nusra following the attack on Ishtabraq in late April. Children reportedly have been detained by Jabhat Al-Nusra and tortured in Harim prison (Idlib).

75. ISIS continues to recruit and train boys as young as six in the use of weapons. Yazidi boys, abducted from Sinjar in northern Iraq in August 2014, were brought into the Syrian Arab Republic and separated from their mothers. They are trained alongside underage Syrian boys. Reports of youth training camps known as "cub camps" continue to emerge from Dayr Az-Zawr and Hasakah.

76. Jabhat Al-Nusra also reportedly engages children in military activities. In March and April, minors were seen manning checkpoints and carrying weapons in Idlib.

77. Children are one of the groups most affected by sieges. Of those who have died of malnutrition or dehydration, the majority are young children.

78. Lack of access to medical care, whether as a result of deliberate obstruction or the vagaries of war, has profoundly affected children. There is little care available to more vulnerable newborns and vaccination programmes continue to be affected negatively by the conflict. Injured children, like adults, suffer due to a lack of medical supplies. One interviewee witnessed a doctor operating on a 7-year-old child without anaesthesia in Jisr Al-Shughour in April. He described the child as being in such pain that "he was beyond crying".

79. Children are being denied access to education. As bombardments of schools increase, so too do reports of the use of schools as military facilities. The Government's placing of weaponry on schools in Jaramana is currently under investigation. In Fajroh village (Hama), ISIS established its headquarters in a school. Additionally, schools in Aleppo and Dara'a have ceased to function as they became shelters for IDPs.

80. As a result of repeated exposure to violence and insecurity, children throughout the Syrian Arab Republic are exhibiting symptoms of trauma, including psychological and behavioural disorders, as well as post-traumatic stress. The protracted duration of the conflict is weakening these children's resilience.

E. The displaced

81. The brutality of the conflict continues to generate unprecedented levels of displacement. With more than 4 million refugees and some 7.6 million IDPs, half of the Syrian Arab Republic's population has now been uprooted.

82. Many Syrians IDPs now live in official or makeshift camps that dot the Syrian Arab Republic's borders. Others have taken up residence in towns and villages where they have family ties, or where they have been able to find shelter in a place of relative safety.

83. The majority of the displaced are women and children. This is a consequence of their being able to move more freely through checkpoints, save for those areas controlled by ISIS. Many have been repeatedly displaced. Some have fled bombardments or ground attacks. Others moved in search of family members and better living conditions, including employment and more readily available – or affordable – food and fuel.

84. For those who have moved into towns and villages, many have been taken in by residents. Fellow Syrians remain the primary providers of assistance to IDPs. However, in some localities, such as Azaz (Aleppo), the sheer number of IDPs seeking safety has increased tensions between them and residents as the growing demand for basic supplies inflates local prices.

85. In makeshift camps, the internally displaced receive little or no support. Shelters are haphazardly built and often fail to keep out the elements. Health services and education for children are largely absent. In official camps, sudden influxes of IDPs fleeing violence may overwhelm services, as reportedly occurred in camps in Idlib following clashes in April and May between Government forces and anti-Government armed groups fighting alongside Jabhat Al-Nusra.

86. Camps are often places of insecurity. Concern for the safety of female family members, together with the cost of caring for large families, has led to an increase in early marriages in the camps. This has follow-on consequences for the education, health and life prospects of the Syrian Arab Republic's young women and girls. For children living as IDPs, they – as with children living as refugees outside of the Syrian Arab Republic – demonstrate clear signs of trauma. Repeated exposure to violence, loss of family, multiple displacements and instability have had a particular deleterious impact on the lives of Syrian children.

87. Thousands of Syrians place their lives in the hands of smugglers and traffickers, attempting perilous journeys in unseaworthy boats across the Mediterranean. More than 2,000 Syrian refugees have drowned in desperate efforts to reach safety in Europe since 2011.

88. The global failure to protect Syrian refugees is now translating into a crisis in Southern Europe. The responsibility for the protection of the human rights of these refugees is not being adequately shared or shouldered. Genuine international cooperation and burden-sharing is imperative to address the humanitarian crisis.

89. It is essential that countries comply with the principle of non-refoulement and respect their obligations under international customary and conventional law, particularly the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and other relevant regional human rights instruments.

F. Detainees

90. Men, women and children detained in the Syrian Arab Republic by various actors have been subjected to unlawful killing, severe torture and other forms of ill-treatment.

91. Nowhere are these violations more widespread and systematic than in detention centres of the Government of the Syrian Arab Republic. Over 600 former detainees – held in intelligence agencies and prisons – have been interviewed since August 2011. Almost all have been victims and or witnesses of torture. Many have been present at the death of cellmates.

92. An untold number of people, mainly adult men, have died while detained, as a result of torture or poor living conditions inflicted upon the prison population. Authorities consistently fail to order investigations into credible allegations of torture and custodial deaths. Four years into the Syrian conflict, it is evident that the Government is responsible for the deaths of detainees on a massive scale.

93. Systematic patterns of torture were documented in Military Security branches 215, 227 and 235, Air Force Intelligence in Mezzeh military airport, and other detention facilities run by the Military Intelligence Directorate, the Air Force Intelligence Directorate, the General Intelligence Directorate, the Political Security Directorate and the armed forces. Detainees are held in overcrowded, dirty cells and are not given adequate food or medical care, even for life-threatening conditions.

94. Many detainees reported being subjected to prolonged suspension from their arms, resulting in paralysis of limbs. One prisoner witnessed detainees hung by their wrists from trees in a detention facility controlled by the 4th Division in Damascus. Detainees were frequently subjected to electrocution, including of genitals and other sensitive areas, and prolonged and severe beating with objects. In February, a man held in a State-controlled facility in Qamishli witnessed regular torture of emaciated fellow detainees.

95. Male detainees were frequently subjected to sexual violence, including rape. In 2014, a commander in General Intelligence Directorate's Al-Khatib Branch subjected a male detainee to repeated sexual abuse, including rape. Female detainees were also raped and sexually assaulted while in Government detention.

96. Non-State armed groups established makeshift places of detention where captured suspected collaborators with the Government or members of enemy factions were held, and sometimes ill-treated and executed. Individuals taken hostage, usually for the purpose of prisoner exchange or to extract ransom, have on occasion died or been murdered while in the custody of armed groups.

97. Jabhat Al-Nusra subjected detainees to trials by Sharia courts that did not respect due process, sometimes resulting in summary executions. Civilians abducted from Ishtabraq in late April were detained in Harim prison, run by Jabhat Al-Nusra, in Idlib. Male detainees were reportedly tortured, including being beaten with electric wires. Detainees, including two pregnant women, were given inadequate food and received no medical care. Investigations are continuing with regard to deaths in detention in this facility.

98. ISIS continues to treat its detainees with brutality, subjecting some to torture and other ill-treatment, as well as to summary executions after unfair trials. Captured fighters from Government forces or adversary rebel factions were frequently tortured and executed. Bodies of victims are routinely desecrated and put on public display. Prisoners reported being subjected to lashing and other forms of torture.

G. The besieged

99. Warring parties encircle densely populated areas, preventing civilians from leaving, and blocking humanitarian access. The besieged communities – thousands of men, women and children – are forced to live under shocking and inhuman conditions.

100. Siege warfare is conducted in a ruthlessly coordinated and planned manner, aimed at forcing a population, collectively, to surrender or suffer starvation. Denial of food, water, electricity and medicine has led to malnutrition and deaths amongst vulnerable groups, such as elderly, infants, young children and persons suffering from chronic illnesses. Trapped without basic necessities and under constant fear of deadly snipers or bombardment, severe psychological trauma and desperation characterize the besieged communities.

101. Government forces continue to besiege rebel-controlled districts in eastern and southern Damascus, for the third consecutive year. Civilian residents in these areas have died from starvation, from injuries sustained in aerial bombardments and, as a consequence, from a lack of medical care. A majority of pregnant women in the besieged areas suffer from anaemia, and cases of miscarriage and birth defects have increased noticeably. Sufferers of chronic illnesses, as well as the elderly, have also been particularly affected by the adverse impact of sieges and bombardments on the provision of health care.

102. Interviewees from inside Yarmouk camp describe eating domestic animals and leaves in an attempt to survive. In April, it was estimated that 40 per cent of the children remaining in Yarmouk suffer from malnutrition. Those who were willing to risk passing through Government checkpoints – mainly women and children – have now fled.

103. In places where local truces have been reached between Government and anti-Government armed groups, such as Babila and Moadamiyah (Rif Damascus), civilians continue to suffer from shortages of food and medicine. Two infants died of treatable conditions in Moadamiyah in April and May, after the siege of these areas had ended.

104. Anti-Government armed groups have imposed sieges around the towns of Nubul and Zahra (Aleppo) and, more recently, around Foua'a and Kafria (Idlib). The situation in these Idlib towns is reportedly dire – with shortages of food, water, medicine and electricity. Milk for infants is desperately needed.

105. In January, ISIS besieged Al-Jabal, Al-Joura, Al-Ahrabish and Al-Qousour, all densely populated districts of Dayr Az-Zawr city, which remains under Government control. Hundreds of thousands of civilians have since lived with minimum access to food, medicine, water, electricity and fuel. These besieged communities have survived on bread and water. Access to clean water is limited, and cases of diarrhoea, dehydration and gastrointestinal diseases are increasing.

106. Children, pregnant women and the elderly are particularly vulnerable. Elderly persons with diabetes, anaemia, asthma and other chronic diseases are put at great risk. Their lives are directly endangered by the lack of medicine. In March, a father drowned when attempting to swim across the Euphrates River from the besieged area to find food for his children. Snipers have targeted and killed civilians seeking to escape, including children. In April, a 13-year-old girl died of hunger in Al-Joura. Another teenage girl cried out to her brother in a telephone call, "Our situation is very bad, just pray to God that he will stop the siege or that he will let us die… because we cannot take this anymore."

107. Government officials and soldiers, including their families, have been less affected, receiving basic supplies via Dayr Az-Zayr's military airport.

108. Wherever sieges are employed, a black market economy has been created for goods that are smuggled in or are ushered through checkpoints following payment of bribes. Consequently, sieges are also a business for those enforcing them and for the most well-

connected trapped inside. In most instances, armed actors remain able to function. It is the civilian population who suffers.

H. Religious and ethnic communities

109. All of the Syrian Arab Republic's religious and ethnic communities are suffering as a result of the conflict.

110. Some communities have been specifically targeted, with discriminatory intent, on the grounds of their actual or perceived religious and/or ethnic background, by ISIS and Jabhat Al-Nusra. In some attacks, anti-Government armed groups have acted in concert with Jabhat Al-Nusra.

111. In other instances, the motivations for attacks are more complex, resulting from perpetrators conflating a community's ethnic and/or religious backgrounds and its perceived political loyalties. Where ethnic or religious groups are believed to be supporters of an opposing warring faction, the entire community has been the subject of discrimination and, in some instances, violent attack.

112. The geographic spread of the war – where the war is being most intensely fought – has, inevitably, impacted some communities more than others.

113. ISIS's stated ideology, particularly its posturing as an expansionist caliphate implementing its brand of radical Islam, has motivated its targeting of religious communities it regards as 'infidels. Nowhere has this been more apparent than in the crimes ISIS perpetrated against thousands of Yazidi taken from Sinjar.

114. Hundreds of Yazidi women abducted during the ISIS August 2014 attack on the Sinjar region of northern Iraq were forced over the border into the Syrian Arab Republic. One of the earliest ISIS convoys of women and children crossed on 17 August 2014. The majority were taken to Raqqah governorate, though some were moved into Dayr Az-Zawr and Aleppo governorates. More convoys followed.

115. Yazidi women were specifically targeted because of their community's religious identity, which ISIS believes to be pagan. ISIS has subjected Yazidi women and children to horrific abuse. Women and girls have been sold or gifted (and resold and regifted) to ISIS fighters and tribal leaders in ISIS-controlled Syrian Arab Republic. Others are imprisoned in houses in towns and villages across the Syrian Arab Republic, where they are held in sexual slavery. One young woman described ISIS fighters arriving late at night and surveying the girls as though they were "in a sheep market". Without exception, all interviewees described multiple rapes by several men, including incidents of gang rape.

116. Significant numbers of victims have been girls under 18. For example, the gifting and subsequent rape of a 9-year-old Yazidi girl in Tabqa (Raqqah) was reported. Several Yazidi women and girls have committed suicide during their captivity.

117. Yazidi women and girls have also suffered severe beatings by their ISIS captors. Some were forced to convert to Sunni Islam, though it does not appear that conversion prevented further sexual and physical abuse.

118. The violations committed against Yazidi and other boys in ISIS-controlled Syrian Arab Republic, are detailed in Section D above.

119. In mid-February, ISIS fighters entered Assyrian Christian villages, including Tel Hermes, along the Khabour River in Hasakah. They forced villagers to remove all Christian imagery from their churches, homes and cemeteries. Fighters threatened to impose jiza – a tax imposed on non-Muslims living in an Islamic caliphate – and to kill the local priest if residents did not comply.

120. Following YPG's advice that an attack by ISIS was imminent, most residents moved to YPG-controlled territory in February. A small number of lightly armed Assyrian men remained behind to protect their property. In February, ISIS began its attack on approximately 20 Assyrian villages. While advancing, ISIS indiscriminately shelled the villages and, on entering, shot and killed some members of local defence forces. Others were injured while fleeing.

121. Approximately 12 men were abducted from Tel Hermes, while two men and an elderly woman were taken from Qabr Shamie. ISIS currently holds more than 200 Assyrians hostage, and has requested ransoms, though some hostages were released without payment. Once ISIS captured the villages, its fighters proceeded to destroy churches and to burn and loot houses. The destruction of more than 10 churches has been documented thus far.

122. While the ISIS attack on the Assyrian Christian villages formed part of the group's broader attacks on the YPG throughout the reporting period, the group also targeted villagers on the basis of their religion. This discriminatory intent was demonstrated by the terrorist group's specific attacks on Christian symbols and the destruction of churches once ISIS was in control of the villages. While the YPG regained control of some villages, the Assyrian population remains reticent to return.

123. ISIS has continued to attack Syrian Kurdish communities. The most lethal attack took place between 25 and 27 June 2015 in Kobane. Fewer than 100 ISIS fighters entered Kobane at around 4 a.m. on 25 June. All wore YPG or FSA uniforms, enabling them to infiltrate the town easily and, initially, to move inconspicuously around. Disguised ISIS fighters went house-to-house, summarily executing civilians. Their snipers deployed in buildings, including the Médecins Sans Frontières hospital, shooting and killing civilians who came into the streets. Approximately 250 civilians were killed and hundreds more were wounded. Most died in their homes or in the immediate vicinity of their houses. Scores of civilians – many of them women and children – were captured and held in buildings containing ISIS's sniper positions as human shields. Those taken as human shields either escaped or were rescued by the YPG following clashes.

124. In mid-June, immediately prior to the attack on Kobane, ISIS forced remaining Kurds to leave Raqqah and Tabqa cities (Raqqah), under threat of death.

125. In recent months, ISIS has conducted multiple car and suicide bombings in YPG-controlled areas of Hasakah. In March, during the festival of Nowruz, a car bomb exploded in Hasakah city, killing approximately 50 people and wounding over 150. Other suicide car bombings, in June and July in Hasakah and Qamishli cities, respectively, were directed at military targets, namely YPG checkpoints. As the number of civilian casualties could not be confirmed, it has not been possible to assess the proportionality of these attacks.

126. ISIS's targeting of the Syrian Arab Republic's Kurds appears based on actual or perceived Kurdish civilian support of the YPG, which has recently retaken substantial amounts of ISIS-controlled territory in Al-Hasakah, Raqqah, and Aleppo governorates. During their indoctrination of kidnapped Kurdish schoolboys, held between May and September 2014, ISIS railed against the Kurdish lack of adherence to ISIS' extremist ideology. Despite the YPG's success in pushing them back from the city and region, the recent attack by ISIS in Kobane seems intended to terrorize civilians and to prevent the resumption of normal life in these areas.

127. In ISIS-controlled areas of Dayr Az-Zawr, the group has destroyed Shia Islamic shrines and graves. While the Shia Muslim population fled long before ISIS took control, ISIS has sought to destroy the history of this religious community in this governorate.

128. In March, ISIS attacked Mabouja. The attack was a part of a series of other attacks by ISIS around Hama, aimed at taking control of the key road that connects Homs with Aleppo. While the village has a majority Ismaili population, its residents also include Sunni Muslims. Civilians living near the roads out of Mabouja were the primary victims of the attack, many killed in their homes. Most victims were Ismaili. ISIS also abducted at least 10 people, all Ismailis.

129. In April, Jabhat Al-Nusra and anti-Government armed groups attacked Ishtabraq village. Residents are predominantly Alawite but the village appears to have been targeted because of the Alawite community's perceived support of the Government. Civilians were shot and killed while fleeing. Ansar Al-Din later published videos online showing the detonation of two Alawite shrines in the village.

130. Jabhat Al-Nusra has forced Druze villages in the Syrian Arab Republic to convert to Sunni Islam, on threat of death. In Qalb Lawza, the Druze residents were made to convert once the area came under the control of the terrorist group in January.

131. During the attack on Busra Al-Sham in March by Jabhat Al-Nusra and various anti-Government armed groups, Shia civilians were killed. In the months prior to the attack, the kidnapping and execution of Shia civilians were documented. Once the groups seized control of Busra Al-Sham, mixed Sunni-Shia couples were threatened, with the Shia spouse being told to leave or be killed. Shia women married to Sunni men were threatened with sexual violence.

132. In April, unidentified armed groups detonated explosives inside the Armenian 40 Martyrs church in Aleppo. The explosion destroyed this 15th century church, which contained relics and paintings dating back to the 18th century. The attack followed the April shelling of Armenian neighbourhoods in Aleppo.

133. Following the YPG's retaking of previously ISIS-controlled areas of Tal Abyad in early July and villages in the Tel Tamer region of Al-Hasakah, YPG fighters reportedly looted houses belonging to Arab villagers. Despite some reports alleging forced displacement of Arab communities in these areas, most interviewees stated that they had fled in advance of clashes between ISIS and the YPG, and in fear of coalition airstrikes.

134. In Government-held areas, Sunni men from restive areas are in the greatest danger of being detained at checkpoints or during house searches, as they are perceived as likely sympathizers with or supporters of anti-Government armed groups. This community is particularly at risk of being subjected to enforced disappearance, torture and other detention-related violations.

135. As communities and groups are, or feel, threatened, they have retreated into areas where they believe themselves to be more protected. This has further strengthened the dangerous perception of a link between some ethnicities and/or religions and political allegiances. Consequently, indiscriminate attacks on areas held by an opposing warring party are increasingly likely to affect specific religious or ethnic communities.

136. Government shelling and besieging of areas such as Yarmouk camp and eastern Ghouta impact on the majority Sunni community residents there. As the Government is in control of the skies, the most deadly and often indiscriminate bombardments are of cities, towns and villages inhabited by majority Sunni populations. The presence of opposition fighters among the civilian population in some of these areas does not justify indiscriminate attacks against these locations, nor does it justify the treatment of the area as one target, which often appears to be the case.

137. The shelling of the neighbourhood of Sayda Zeinab (Damascus city) by armed groups in eastern Ghouta (Rif Damascus) has resulted in casualties amongst the Shia Muslim community, since the makeup of the neighbourhood has become increasingly Shia

Muslim as IDPs have fled there, seeking safety. Shelling by armed groups in Bani Zeid, in the Al-Sulimaniyah neighbourhood of Aleppo city, has resulted in casualties among the Christian residents of this neighbourhood. While Government checkpoints and artillery stations exist in these neighbourhoods, there has been no evident attempt to direct attacks towards military objectives on the part of the armed groups.

138. Anti-Government armed groups have besieged Nubul and Zahra (Aleppo) and Foua'a and Kafria (Idlib) partly based on the perception that these predominantly Shia and Alawite villages support the Government. However, the sieges are also a result of the fact that Popular Committees in both areas are shelling nearby armed group-controlled villages.

139. Such situations underline the failure of all parties to take all feasible precautions to protect civilians, and the lack of options available to civilians caught between warring parties.

I. Medical personnel

140. Belligerents have subjected medical personnel to attacks, often as part of broader attacks on health-care facilities and infrastructure.

141. The Government's continued use of indiscriminate aerial bombardment has destroyed and damaged hospitals, field hospitals, clinics, medical equipment, drug warehouses and generators, and caused the temporary or permanent closure of health-care facilities. In March, Government helicopters targeted a field hospital in Hama governorate with a barrel bomb, resulting in the killing of two paramedics.

142. Helicopters also targeted a field hospital in eastern parts of Aleppo city during March and April. Essential medical equipment was destroyed in the attack and led to the eventual closure of one hospital which provided medical services to hundreds of patients monthly. A primary health clinic was damaged by a barrel bomb in March. Medical and forensic personnel were wounded, and a clearly marked ambulance destroyed, in another barrel bomb attack targeting the entrance of a morgue in May.

143. In May, an aerial bomb aimed at an emergency coordination centre in Aleppo destroyed several ambulances. This attack on critical medical infrastructure prevented medical staff from coordinating life-saving services and transporting wounded persons to hospitals.

144. Hospitals and medical personnel in Government-controlled areas have been subjected to targeted attacks by anti-Government armed groups and Jabhat Al-Nusra. In January, a car bomb detonated near a field hospital in Dara'a city, destroying the drug storehouse of the hospital.

145. A suicide bomber from Tajamu Nusrat Al-Mathloum, an armed group active in the Latakia countryside, exploded himself in a public hospital in Latakia governorate in February, killing a nurse and a member of the administrative staff. A private hospital in Damascus city was subject to a mortar attack in February, launched by Jaysh Al-Islam from eastern Damascus.

146. In June during the attack on Kobane, ISIS fighters held civilians inside a Médecins Sans Frontières-supported field hospital, apparently using them as human shields to slow the counter-attack of the YPG and allowing ISIS snipers to continue firing on nearby areas from the roof of the building. The hospital was partly destroyed in subsequent clashes.

147. In regions under ISIS control, medical personnel work under regulations and conditions that substantially obstruct their profession and service. Doctors have been threatened and in some cases forced to stop working in public hospitals or private clinics.

J. Human rights defenders and lawyers

148. Human rights defenders and lawyers continue to be specifically targeted for arbitrary arrest and detention, abductions, enforced disappearances, torture and executions because of their professional activities.

149. Government forces use the sweeping 2012 counter-terrorism legislation and its special court to stifle dissent and silence the advocacy efforts of lawyers and human rights defenders. Human rights and peace activists form the large majority of those detained under article 8 of the anti-terrorism law, which prescribes imprisonment and forced labour for a variety of vaguely defined terrorism-related offenses that include distributing written materials or information.

150. In February 2012, Hussein Ghrer, Hani Al-Zaytani and Mazen Darwish were arrested at their workplace, the Syrian Center for Media and Freedom of Expression, by Syrian Air Force personnel. In March 2014, they were charged with "publicizing terrorist acts" and "promoting terrorist activities" under article 8 of the anti-terrorism law. Amidst growing calls for their release, their trials had been repeatedly adjourned without explanation. The Commission welcomes the release of Hussein Ghrer and Hani Al-Zaytani in mid-July 2015 and of Mazen Darwish on 10 August 2015, but notes that the charges against the three men remain, as does the spectre of further imprisonment.

151. Lawyers who represent clients appearing before the counter-terrorism court are routinely harassed, and in some instances detained. Many have reported being subject to retaliatory actions, including disbarment.

152. Anti-Government armed groups have directed attacks against human rights activists. Among the many abducted, disappeared and killed are four human rights activists: Razan Zeitouneh, Wael Hamada, Samira Khalil and Nazem Hammadi, kidnapped from their office in Douma (Rif Damascus) in December 2013. Their fate and whereabouts are unknown.

153. ISIS attacked activists trying to communicate the daily suffering of those living under its control. The fate of peace activist Father Paolo Dall'Oglio, abducted in Raqqah city in January 2014 by ISIS, is unknown. In July, ISIS published the video of the execution of two Syrians accused of working with the activist Hammoud al-Mousa for the "Raqqa is Being Slaughtered Silently" campaign.

154. By silencing lawyers and human rights defenders for their roles in the dissemination of human rights abuses, all parties to the conflict perpetuate the culture of impunity prevailing in the Syrian Arab Republic.

K. Journalists

155. Syria has become the world's most dangerous country for journalists, with at least 83 killed since late 2011. Violence against journalists continues unabated, forcing scores of Syrian reporters into exile. Media activists still reporting inside the Syrian Arab Republic operate under constant threat and fear for their lives.

156. Journalists continue to be systematically targeted by Government forces for documenting and disseminating information perceived to be supportive of the opposition or disloyal to the Government. Large numbers of journalists are still detained in Government-controlled detention centres, where they are subjected to disappearance and torture. An unknown number have died in detention.

157. In regions controlled by Jabhat Al-Nusra, offices of media activists perceived as being critical of the group have been raided, and journalists routinely intimidated for

"writing against the religion". Harassment of media workers generates a climate of fear such that journalists have become self-censoring.

158. While global media attention focused on harrowing cases of abduction and execution of international journalists by ISIS, Syrian media workers continue to suffer at the hands of the terrorist group. Dozens, both foreign and Syrian, remain in captivity, detained and ill-treated because of their professional activities.

159. A media activist from Palmyra (Homs) explained how he was harassed and intimidated by members of ISIS only days following the capture of the city. Having refused to join ISIS, he was arrested and detained for approximately 15 days. His equipment was seized by the group. While in detention, he repeatedly assured his interrogators that he was reporting only violations committed by Government forces. Upon his release, he decided to leave Palmyra in fear of reprisals against him and his family.

L. Academics

160. Academics in the Syrian Arab Republic have been the subject of threats and intimidation, leading many to flee the country. Respected in their communities as intellectuals, they are targeted on the basis of their actual or perceived allegiance to one or another of the warring parties.

161. In one instance, the 2011 detention of an academic critical of the Government was reported. On release, he fled the country. Investigations continue as to threats by unidentified armed groups to academics working in Government universities. Female academics have faced harassment on the combined basis of their work and their gender.

162. With academics fleeing the country, and universities, particularly in Aleppo and Damascus cities, being subjected to shelling and bombardments, the impact of the war on the Syrian Arab Republic's higher education system, its scholars and its students will be felt for decades.

M. Continuing investigations

163. Investigations continue into the impact of the conduct of the warring parties on other groups and communities, including but not limited to the elderly, persons with disabilities, those suffering from chronic illnesses, migrant workers and sexual minorities.

164. Sexual minorities have been targeted for execution by ISIS and Jabhat Al-Nusra. The Commission continues to investigate reports of ISIS fighters throwing gay men off high buildings, and their being beheaded by Jabhat Al-Nusra.

IV. Conclusions and recommendations

A. Conclusions

165. **The plight of civilians cries out for immediate action to ensure their protection. The livelihood of the Syrian population is subverted daily by the increasingly internationalized nature of this non-international armed conflict, as well as the ferocity of confrontations at the ground level, compounded by the spread of extremism.**

166. **Violations of human rights and international humanitarian law, identified in this report through the pain and suffering of key groups, communities and**

individuals, are living proof of the rampancy of war crimes and crimes against humanity, demanding justice, accountability and peace.

167. The violence is endemic, regrettably proliferating in its scope and extent.

168. Government forces have directed attacks against the civilian population. The attacks have included widespread shelling and bombardment of civilian-inhabited localities and the targeting of civilians for arrest, detention and disappearance on the basis of their association or perceived opposition to the Government. As part of this widespread attack on the civilian population, in accordance with State policy, Government forces have perpetrated crimes against humanity of murder, extermination, torture, rape, enforced disappearance and other inhumane acts.

169. Government forces have committed gross violations of human rights and the war crimes of murder, torture, rape, sexual violence and targeting civilians. Government forces disregarded the special protection accorded to hospitals and medical personnel. Indiscriminate and disproportionate aerial bombardment and shelling by Government forces led to mass civilian casualties and spread terror.

170. Anti-Government armed groups have committed the war crimes of murder, execution without due process, torture, hostage-taking and attacking protected objects.

171. In addition to these war crimes, Jabhat Al-Nusra has recruited and used children in hostilities.

172. ISIS has directed acts of violence and terror against the civilian population under its control in Raqqah, Dayr Az-Zawr, Hasakah, Aleppo, Hama and Homs governorates. ISIS, a structured group, directs and organizes these acts of violence against civilians, evincing an organizational policy. ISIS has committed murder, torture, rape, sexual slavery, sexual violence, forcible displacement and other inhumane acts as part of a widespread attack on the civilian population, amounting to crimes against humanity.

173. ISIS has committed war crimes, including murder, execution without due process, torture, hostage-taking, rape and sexual violence, recruiting and using children in hostilities and attacking protected objects, as well as other serious violations of international humanitarian law.

174. The litany of abuses listed here captures only part of the trauma experienced by Syrian civilians, as the world stands witness.

175. It is thus unconscionable that the global community, as well as regional and local actors, are prevaricating in their response to a conflagration which has been escalating since 2011. This living tragedy demands an expeditious end to the political procrastination and military escalation.

176. There can be no substitute for an all-inclusive peace process which has been too long in coming. Respect for the choice of the Syrian population is paramount.

B. Recommendations

177. The Commission of Inquiry reiterates the recommendations made in previous reports. It further makes the recommendations below.

178. The Commission recommends that all parties:

(a) Ensure the effective protection of civilians comprehensively, bearing in mind the multiple extensive forms of abuse, victimization and re-victimization, and

address the need for accountability, including access to justice at the national and local levels;

(b) Respect civilians' right of access to basic necessities, including shelter, food, water and medical care, and allow unhindered passage of humanitarian aid;

(c) Distinguish military from civilian objectives, refraining from all indiscriminate and disproportionate attacks;

(d) Prohibit and prevent absolutely torture or other cruel, inhuman or degrading treatment, including sexual violence;

(e) Ban effectively the recruitment and use of children in hostilities;

(f) Treat all persons who are deprived of liberty, including detainees, humanely and enable them to access help;

(g) Allow access for an independent humanitarian assessment of besieged areas and communities;

(h) Protect humanitarian workers, including medical personnel, facilitate the rapid and unimpeded passage of relief supplies, and safeguard the sanctity of hospitals and medical transport;

(i) Assist and protect the full range of displaced persons, with due regard to sex and age;

(j) Uphold the mosaic of religious and ethnically diverse communities, and guarantee the space for a variety of human rights defenders, lawyers, journalists, academics and civil society;

(k) Prohibit and prevent the use of illegal weapons, including chemical weapons.

179. The Commission recommends that the Government of the Syrian Arab Republic:

(a) Cease using illegal weaponry, such as incendiary weapons and other weapons such as barrel bombs, employed indiscriminately on civilian-inhabited areas;

(b) Allow the Commission access to the country.

180. The Commission recommends that anti-Government armed groups repudiate extreme elements and apply effective leverage for compliance with international law.

181. The Commission recommends that countries with influence over the warring parties, in particular the permanent members of the Security Council, work in concert to put pressure on the parties to end the violence and to initiate all-inclusive negotiations for a sustainable political transition process in the country.

182. The Commission further recommends that the international community:

(a) Curb the proliferation and supply of weapons, and address the sources thereof;

(b) Sustain and expand funding and other supports for humanitarian operations;

(c) Protect the human rights of all persons, including migrants, internally displaced persons, asylum-seekers and refugees, which are part of customary international law, as well as comply with obligations under international human rights treaties, the 1951 Convention relating to the Status of Refugees and its 1967 Protocol,

and other relevant instruments, including commitments under regional human rights systems;

(d) Ensure the protection space for asylum-seekers and refugees, and abide by the principle of non-refoulement, with effective international solidarity and shared responsibility;

(e) Create more legal avenues to safety for persons needing protection. These include expanded resettlement, humanitarian admission, flexible visa policies, family reunification, or academic and sponsorship schemes.

183. **The Commission recommends that the Human Rights Council support the recommendations made, including by transmitting the present report to the Secretary-General for the attention of the Security Council in order that appropriate action may be taken, and through a formal reporting process to the General Assembly and to the Security Council.**

184. **The Commission recommends that the Security Council:**

(a) Support its recommendations;

(b) Include regular briefings by the Commission of Inquiry as part of the formal agenda of the Security Council;

(c) Take appropriate action by referring the situation to justice, possibly to the International Criminal Court or an ad hoc tribunal, bearing in mind that, in the context of the Syrian Arab Republic, only the Security Council is competent to refer the situation;

(d) Ensure immediate commitment by the relevant actors and stakeholders to a comprehensive peace process that responds sustainably to the aspirations of the Syrian population.

Annex

Map of the Syrian Arab Republic